

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Leilani Rhodes	Team: Squad #9	CCRB Case #: 201900130	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/04/2019 4:30 PM	Location of Incident: Global Gas Station: 4931 Van Dam Street	Precinct: 108	18 Mo. SOL 7/4/2020	EO SOL 2/18/2021	
Date/Time CV Reported Fri, 01/04/2019 5:11 PM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Fri, 01/04/2019 5:11 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Bryan Crespo	08559	956553	108 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Neil Trinchese	15208	957228	108 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Bryan Crespo	Abuse: Police Officer Bryan Crespo refused to provide his name to § 87(2)(b)	
B.POM Bryan Crespo	Abuse: Police Officer Bryan Crespo refused to provide his shield number to § 87(2)(b)	

Case Summary

§ 87(2)(b) filed this complaint with the CCRB on January 4, 2019 via the call processing system.

On January 4, 2019, at approximately 4:30 p.m., § 87(2)(b) was pulled over at Global Gas Station, located at 4931 Van Dam Street in Queens, by PO Bryan Crespo from the 108th Precinct. PO Crespo issued § 87(2)(b) four summonses for § 87(2)(b) (Board Review 09). After receiving the summonses, § 87(2)(b) told PO Crespo, “Officer you never identified yourself.” PO Crespo ignored him and did not provide any identifying information to § 87(2)(b) (**Allegation A, Allegation B- Abuse of Authority**, § 87(2)(g) § 87(2)(b) recorded the interaction and posted the video on his You Tube page entitled: § 87(2)(b). The video can be found in IA #4 (Board Review 06).

Findings and Recommendations

Allegation (A): Abuse of Authority: Police Officer Bryan Crespo refused to provide his name to § 87(2)(b)

Allegation (B): Abuse of Authority: Police Officer Bryan Crespo refused to provide his shield number to § 87(2)(b)

It is undisputed that PO Crespo issued § 87(2)(b) four summonses.

§ 87(2)(b) stated that PO Crespo issued him four summonses for his tinted windows. § 87(2)(b) responded by telling PO Crespo that he had a “Medical Tint Exemption” which allowed him to tint his windows beyond the legal limit. PO Crespo ignored § 87(2)(b) statement, and walked away from him. As he walked away, § 87(2)(b) stated, “Officer, you never identified yourself.” PO Crespo proceeded to get into his police vehicle and drive off. § 87(2)(b) got out of his car and recorded the police vehicle as it drove off (Board Review 01).

§ 87(2)(b) provided video footage that he recorded on his cell phone. The video § 87(2)(g) shows § 87(2)(b) sitting in his car, waiting for PO Crespo to return with his license. At 1:30 into the video, PO Crespo returns and tells § 87(2)(b) that he will receive four summonses for tinted windows. As PO Crespo walks away, § 87(2)(b) says, “Officer, you never identified yourself.” PO Crespo continues walking away, enters his vehicle, and drives off (Board Review 06).

When asked if § 87(2)(b) ever made any requests during the interaction, PO Crespo stated, “I believe he asked me for my name and shield. I told him it was on the summons.” When asked if that was the exact request that § 87(2)(b) made, PO Crespo responded, “I don’t recall exactly how he said it. I remember him saying that he wanted my name. I told him it was on the summons. It was visible on the summons.” PO Crespo confirmed that he did not otherwise provide this information. He did not recall if § 87(2)(b) made any additional requests (Board Review 02).

According to NYPD Patrol Guide Procedure 203-09, “An officer should courteously and clearly state their rank, name, shield number and command, or otherwise provide them, to anyone who requests them to do so. They should also allow the person ample time to note this information (Board Review 03). The CCRB Manual states, “...In order for a summons to act as a proxy to

providing this information, the summons must be clearly written and the civilian cannot have asked the officer for this information again. If the civilian requests the information again the officer should provide the information verbally to fully comply with the Patrol Guide, regardless of how clearly the information on the summons is written” (Board Review 07).

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 08).
- PO Crespo has been a member of service for four years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- As of April 9, 2019, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 05).

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date